

PTO/SB/28 (10-00)

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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENTDocket Number (Optional)  
2269-3882.8US (99-  
0017.08/US)

In re Application of: Ammar Darras

Application No.: 10/654,226

Filed: September 2, 2003

For: METHOD OF FABRICATING FIELD EMISSION ARRAYS EMPLOYING A HARD MASK TO DEFINE COLUMN  
LINES AND ANOTHER MASK TO DEFINE Emitter TIPS AND RESISTORS

The owner\* **Micron Technology, Inc.**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,017,772. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is disclaimed, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record.



Signature

March 21, 2005

Date

Brick G. Power

Typed or printed name

Reg. No. 38,581

The Commissioner is authorized to charge the Terminal disclaimer fee under 37 CFR 1.20(d) of \$130.00 to Deposit Account 20-1469.

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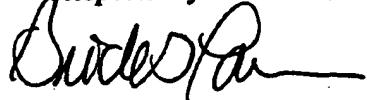
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**CONCLUSION**

It is respectfully submitted that each of claims 1-18 is allowable. An early notice of the allowability of each of these claims is respectfully solicited, as is an indication that the above-referenced application has been passed for issuance. If any issues preventing allowance of the above-referenced application remain which might be resolved by way of a telephone conference, the Office is kindly invited to contact the undersigned attorney.

Respectfully submitted,



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Date: September 13, 2004

BGP/dlm:rmh